

11212

Cottage Grove Business Development LLC

14212	Date Sent	Reply	Status
Town Quest	5-2	5-17	
Muni Quest	5-2	5-9	
Prop. Lister	5-2	5-6	

TOWN OF SUN PRAIRIE
VILLAGE OF COTTAGE GROVE
05/20/2019

NO - ISLAND (TOWN)
5/20/19

Request for Annexation Review

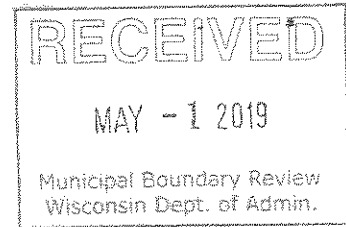
Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645, Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner Information

Name: Cottage Grove Business Development, LLC
Address: 804 Liberty Blvd., Ste 204
Sun Prairie, WI 53590
Email: joe.wagner@greywp.com

Office use only:



1. Town where property is located: Town of Sun Prairie
2. Petitioned City or Village: Village of Cottage Grove
3. County where property is located: Dane
4. Population of the territory to be annexed: 0
5. Area (in acres) of the territory to be annexed: ~ 67.602
6. Tax parcel number(s) of territory to be annexed 058/0811-333-8040⁻⁵
(if the territory is part or all of an existing parcel): 058/0811-333-8502-0

Petitioners phone:

(414) 840-0098

Town clerk's phone:

(608) 837-6688

City/Village clerk's phone:

(608) 839-4704

Contact Information if different than petitioner:

Representative's Name and Address:

Phone: _____

E-mail: _____

Surveyor or Engineering Firm's Name & Address:

CJ Engineering
9205 W. Center Street, Ste 214
Milwaukee, WI 53222

Phone: (414) 443-1312 x222

Cell: (414) 940-4450

E-mail: chris@cj-engineering.com

Required Items to be provided with submission (to be completed by petitioner):

1. Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
2. Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
3. Signed Petition or Notice of Intent to Circulate is included
4. Indicate Statutory annexation method used:
 - Unanimous per s. 66.0217 (2), or, OR
 - Direct by one-half approval per s. 66.0217 (3)
5. Check or money order covering review fee [see next page for fee calculation]



April 30, 2019

SENT VIA HAND DELIVERY

Village of Cottage Grove
Attn: Village Clerk
221 E. Cottage Grove Road
Cottage Grove, WI 53527-9619

RE: Filing Annexation Petition for Certain Town of Sun Prairie Property

Dear Clerk:

Joe Wagner, via Cottage Grove Business Development, LLC, a Wisconsin limited liability company owns title to certain property currently located in the Town of Sun Prairie (parcel numbers: 058/0811-333-8040-5; and 058/0811-333-8502-0). Please find enclosed, pursuant to Wis. Stats. § 66.0217 a Petition for Direct Annexation by Unanimous Consent (the "Petition") of this land with the Village of Cottage Grove.

We request that the Village consider the Petition and enact an ordinance effectuating the annexation because it will:

- Increase the tax base of the Property within the Village;
- Extend the corporate limits and jurisdiction of the Village;
- Clean up many boundaries, especially to the North;
- Provide a vital piece of land to the Village, even if a town island is created, that can be part of a TIF district that is in the best interest of the community for commercial development; and
- Benefit the connection of this land with the other pieces of land already in a Village of Cottage Grove TIF district to the Village of Cottage Grove.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Paul Wagner".

Paul Wagner
Director, Business Development & General Counsel
Greywolf Partners, Inc.



Enclosures

Cc: Mr. Matt Giese, Village Administrator (w/ enclosure)
Mr. Lee W. Boushea, Village Attorney (w/ enclosure)
Town of Sun Prairie, Attn: Town Clerk (w/ enclosure)

Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

Required Fees

There is an initial filing fee and a variable review fee

\$ ✓ **Initial Filing Fee** (required with the first submittal of all petitions)
\$200 – 2 acres or less
\$350 – 2.01 acres or more

\$ ✓ **Review Fee** (required with all annexation submittals except those that consist ONLY of road right-of-way)
\$200 – 2 acres or less
\$600 – 2.01 to 10 acres
\$800 – 10.01 to 50 acres
\$1,000 – 50.01 to 100 acres
\$1,400 – 100.01 to 200 acres
\$2,000 – 200.01 to 500 acres
\$4,000 – Over 500 acres

\$1,350 **TOTAL FEE DUE** (Add the Filing Fee to the Review Fee)

Include check or money order, payable to: **Department of Administration**

**THE DEPARTMENT WILL NOT PROCESS
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED
BY THE REQUIRED FEE.**

**THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE**

Shaded Area for Office Use Only

Date fee received: 5-1-2019

Payee: Denise & Joseph Wagner

Check Number: 7407

Check Date: 4-30-19

Amount: \$1,350

PETITION FOR DIRECT ANNEXATION
BY UNANIMOUS CONSENT
(Wis. Stats. § 66.0217(2))

TO: Village of Cottage Grove
Attn: Lisa Kalata, Clerk
221 E. Cottage Grove Road
Cottage Grove, WI 53527

Clerk, Town of Sun Prairie
Attn: Clerk
5556 Twin Lane Road
Marshall, WI 53559

We the undersigned owners of real property located in the Territory, do hereby respectfully and unanimously, petition the Village Board of the Village of Cottage Grove for the purpose of annexing the Territory from the Town of Sun Prairie, located in Dane County, Wisconsin, to the Village of Cottage Grove.

The "Territory" proposed for annexation from the Town of Sun Prairie to the Village of Cottage Grove is shown on the scale map(s) and is more particularly described on Exhibit A; the parcel numbers being: 058/0811-333-8040-5; and 058/0811-333-8502-0.

The undersigned do hereby request that this annexation be approved and take effect in the manner provided for by law.

There are no electors residing in the territory to be annexed. The population in the territory is zero.

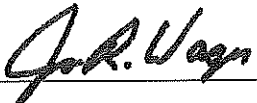
This Petition for Annexation is being signed by all of the owners of the all of the real property within the Territory and is filed pursuant to Wis. Stats. § 66.0217(2).

[SIGNATURES ON FOLLOWING PAGE]

PETITION FOR DIRECT ANNEXATION
BY UNANIMOUS CONSENT
(Wis. Stats. § 66.0217(2))
Page 2

OWNERS

Cottage Grove Business Development, LLC

By: 
Joseph R. Wagner, Manager

Cc: Wisconsin Department of Administration

Exhibit A

CERTIFIED SURVEY MAP NO.

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1079 AND LANDS IN PART OF THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWN 8 NORTH, RANGE 11 EAST, IN THE TOWN OF SUN PRAIRIE, DANE COUNTY, STATE OF WISCONSIN.

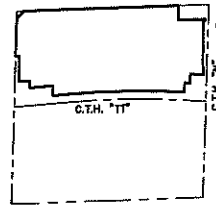
- ⊙ INDICATES IRON ROD FOUND - 3/4" DIA. UNLESS OTHERWISE NOTED
- INDICATES 1 INCH DIA. IRON PIPE, FOUND
- INDICATES 1 INCH DIA. IRON PIPE, SET

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
 ALL BEARINGS SHOWN ARE REFERENCED TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 33-08-11 AS N 88°22'38" E, WISCONSIN COUNTY COORDINATE SYSTEM, DANE ZONE, 83 (1997).

OWNER:
 COTTAGE GROVE BUSINESS DEVELOPMENT, LLC
 804 LIBERTY BLVD., STE 204
 SUN PRAIRIE, WI 53590

OWNER:
 DAO YANG
 4643 COUNTY TRUNK HWY TT
 SUN PRAIRIE, WI

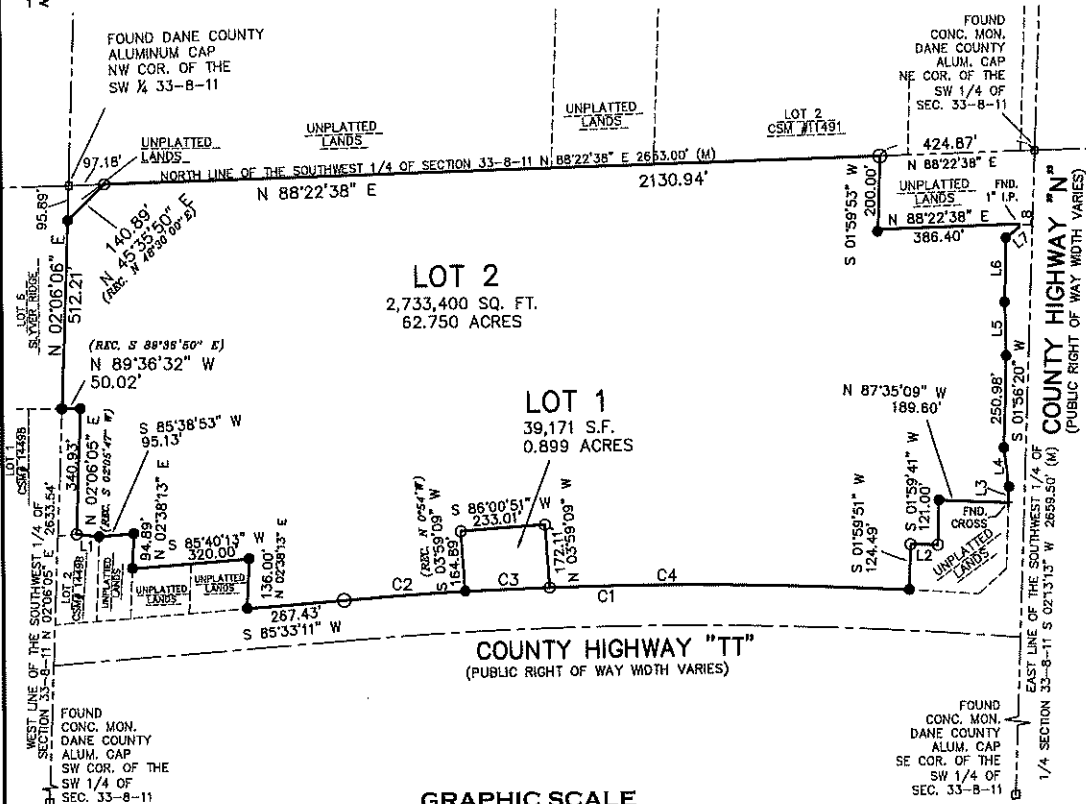
SURVEYOR:
 CHRISTOPHER A. JACKSON, PLS
 CJ ENGINEERING, LLC
 9205 W. CENTER ST., STE 214
 MILWAUKEE, WI 53213
 (414) 443-1312



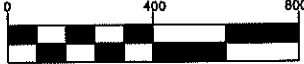
VICINITY MAP
 SW 1/4 OF SEC. 33-8-11
 1" = 2000'

LINE	LENGTH	BEARING
L1	61.61'	N83°35'44"W
L2	75.00'	N88°00'09"W
L3	43.63'	S01°59'51"W
L4	106.15'	S06°35'31"E
L5	145.38'	S01°15'59"E
L6	175.03'	S01°41'45"W
L7	45.53'	S51°27'33"W
L8	8.74'	S01°59'51"W

CURVE	ARC	RADIUS	CHORD	CH. BRG.	CENT. ANGLE
C1	1552.72'	11570.00'	1551.55'	N89°23'51"W	7°41'21"
C2	334.66'	11570.00'	334.65'	N86°22'54"E	1°39'26"
C3	233.13'	11570.00'	233.12'	N87°47'15"E (REC. AS N89°13'30"W)	1°09'16"
C4	984.93'	11570.00'	984.63'	N89°11'48"W	4°52'39"



GRAPHIC SCALE



OFFICE OF THE REGISTER OF DEEDS DANE CO., WISCONSIN
 RECEIVED FOR RECORDING ON _____, 20__ AT _____
 AND RECORDED AS MAP NO. _____
 DOCUMENT NO. _____
 VOLUME _____ PAGE _____

KRISTI CHLEBOWSKI, REGISTER OF DEEDS

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO, 1079 AND LANDS IN PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, TOWN 8 NORTH, RANGE 11 EAST, IN THE TOWN OF SUN PRAIRIE, DANE COUNTY, STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER JACKSON, A PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO, 1079 AND LANDS IN PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, TOWN 8 NORTH, RANGE 11 EAST, IN THE TOWN OF SUN PRAIRIE, DANE COUNTY, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE N 88°22'38" E ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ OF SECTION 16, 97.18 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 88°22'38" E ALONG SAID NORTH LINE 2130.94 FEET; THENCE S 01°59'53" W 200.00 FEET; THENCE N 88°22'38" E 386.40 FEET; THENCE S 01°59'51" W 8.74 FEET; THENCE S 51°27'33" W 45.53 FEET; THENCE S 01°41'45" W 175.03 FEET; THENCE S 01°15'59" E 145.38 FEET; THENCE S 01°56'20" W 250.98 FEET; THENCE S 06°35'31" E 106.15 FEET; THENCE S 01°59'51" W 43.63 FEET; THENCE N 87°35'09" W 189.60 FEET; THENCE S 01°59'41" W 121.00 FEET; THENCE N 88°00'09" W 75.00 FEET; THENCE S 01°59'51" W 124.49 FEET; THENCE 1552.72 FEET ALONG AN ARC OF A CURVE WHOSE RADIUS IS 11570.00 FEET, WHOSE CENTER LIES TO THE SOUTH, WHOSE CHORD BEARS N 89°23'51" W 1551.55 FEET; THENCE S 85°33'11" W 267.43 FEET; THENCE N 02°38'13" W 136.00 FEET; THENCE S 88°40'13" W 320.00 FEET; N 02°38'13" E 94.89 FEET; THENCE S 85°38'53" W 95.13 FEET; THENCE N 83°35'44" W 61.61 FEET; THENCE N 02°06'05" E 340.93 FEET; THENCE N 89°36'32" W 50.02 FEET; N 02°06'06" E 512.21 FEET; THENCE N 45°35'50" E 140.89 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,772,571 SQUARE FEET OR 63.649 ACRES MORE OR LESS

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND MAP BY THE DIRECTION OF THE COTTAGE GROVE BUSINESS DEVELOPMENT, LLC, AND DAO YANG OWNERS OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE STATUTES OF THE STATE OF WISCONSIN IN SURVEYING, DIVIDING, MAPPING AND DEDICATING THE SAME.

DATED THIS _____ DAY OF _____, 20__.

CHRISTOPHER A. JACKSON
PROFESSIONAL LAND SURVEYOR, S-2851
STATE OF WISCONSIN

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1079 AND LANDS IN PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, TOWN 8 NORTH, RANGE 11 EAST, IN THE TOWN OF SUN PRAIRIE, DANE COUNTY, STATE OF WISCONSIN.

OWNER'S CERTIFICATE

Cottage Grove Business Development, LLC, as owner, does hereby certify that said limited liability company caused the lands described on this CSM to be surveyed, divided, mapped and dedicated as represented on this CSM.

IN WITNESS WHEREOF, the said Cottage Grove Business Development, LLC has caused these presents to be signed by Joseph R. Wagner, Managing Member and its corporate seal to be hereunto affixed on this _____ day of _____, 20____.

Joseph R. Wagner
Managing Member

SS

State of _____)
County of _____)

Personally came before me this _____ day of _____, 20____, the above-named Joseph R. Wagner, Managing Member of Cottage Grove Business Development, LLC, known by me to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public,
My Commission Expires: _____

LENDER

_____, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING AND MAPPING OF THE LAND DESCRIBED ON THIS MAP AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATION OF OWNERS.

IN WITNESS WHEREOF, THE SAID _____, HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____, AT _____, WISCONSIN, THIS _____ DAY OF _____, 20____.

BY: _____

STATE OF WISCONSIN)
MILWAUKEE) SS

NAME:
TITLE:

PERSONALLY CAME BEFORE ME ON _____, 20____, BY _____, IN HIS/HER CAPACITY AS _____ OF _____, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION EXPIRES _____, 20____.

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1079 AND LANDS IN PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, TOWN 8 NORTH, RANGE 11 EAST, IN THE TOWN OF SUN PRAIRIE, DANE COUNTY, STATE OF WISCONSIN.

OWNER'S CERTIFICATE

DAO YANG as owner, does hereby certify that he has caused the lands described on this CSM to be surveyed, divided, mapped and dedicated as represented on this CSM.

DAO YANG DATE

State of)
County of)

Personally come before me this _____ day of _____, 20____, the above-named Dao Yang, known by me to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public,
My Commission Expires: _____

PLANNING COMMISSION APPROVAL

APPROVED BY THE TOWN OF SUN PRIARIE PLAN COMMISSION

DATE

TOWN BOARD APPROVAL

APPROVED BY THE TOWN OF SUN PRIARIE TOWN BOARD

DATE

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____



TONY EVERS
GOVERNOR
JOEL BRENNAN
SECRETARY

Municipal Boundary Review
PO Box 1645, Madison WI 53701
Voice (608) 264-6102 Fax (608) 264-6104
Email: wimunicipalboundaryreview@wi.gov
Web: <http://doa.wi.gov/municipalboundaryreview>

May 02, 2019

PETITION FILE NO. 14212

LISA A KALATA, CLERK
VILLAGE OF COTTAGE GROVE
221 E COTTAGE GROVE RD
COTTAGE GROVE, WI 53527-9619

JO ANN RAMSFIELD, CLERK
TOWN OF SUN PRAIRIE
5556 TWIN LANE ROAD
MARSHALL, WI 53559

Subject: COTTAGE GROVE BUSINESS DEVELOPMENT LLC ANNEXATION

Section 66.0217 (6), Wis. Stats., provides that the annexation of lands to cities and villages within a county having a population of 50,000 or more shall be reviewed by the Department of Administration in order to determine if the proposed annexation is in the public interest or against the public interest. The proposed annexation from the TOWN OF SUN PRAIRIE to the VILLAGE OF COTTAGE GROVE (see attached description) must be reviewed pursuant to the statute.

To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department.

The purpose of this questionnaire is to assist the department in determining "Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town...." The statute further stipulates that the department shall study the "shape of the proposed annexation and the homogeneity of the territory with the annexing municipality." In addition, we would appreciate receiving from you any comments or information bearing on governmental services or shape and homogeneity that would indicate whether the annexation is in or against the public interest.

Please return the questionnaire as soon as possible so that the information can be reviewed prior to the department's statutory deadline of May 20, 2019. Direct any questions and comments to Erich Schmidtke at (608) 264-6102. Thank you for your cooperation.

For additional information on annexation or other land use issues, visit our web site at <http://doa.wi.gov/municipalboundaryreview/>.

Sincerely,

Erich Schmidtke

Enclosures

Real Property Lister Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petition Number:

1. Territory to be annexed:	From Town of: Sun Prairie	To City/Village of: Cottage Grove
-----------------------------	----------------------------------	--

2. Is the annexation location described by _____ment lot, recorded private claim, ¼ section, section, township & range?
 Yes No

3. Is the annexation contiguous with _____
 Yes No

4. Will the annexation create an _____ the city/village)?
 Yes No

5. Will the annexation create _____ unded by the town)?
 Yes No

6. Does the owner(s) of record match the owner(s) listed on the petition?
 Yes No

MAP MUST SHOW
EXISTING MUNI.
BOUNDARY.

OUTCOT 1 ALREADY
IN VILLAGE - MAP/
LEGAL MUST
DEFINE WHAT IS BEING
ANNEXED

TOWN ISLAND

7. Other relevant information and comments about the annexation:

The legal description provided for the proposed annexation is actually for a proposed Certified Survey Map; this description includes lands previously annexed by Ordinance No. 03-2010 being lot 1 of Certified Survey Map No. 1079. Technically, this annexation petition does not match the owner of record since the owner of that lot is different from the petitioners.

Prepared by:	Please RETURN PROMPTLY to:
Name: Jim Czaplicki	wimunicipalboundaryreview@wi.gov
Email: czaplicki@countyofdane.com	Municipal Boundary Review
Phone: (608)267-3529	PO Box 1645, Madison WI 53701
Date: 5/6/19	Fax: (608) 264-6104

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: Cottage Grove Business Development LLC

Petition Number: 14212

1. Territory to be annexed: From TOWN OF SUN PRAIRIE To VILLAGE OF COTTAGE GROVE

2. Area (Acres): 67.602

3. Pick one: Property Tax Payments

OR Boundary Agreement

a. Annual town property tax on territory to be annexed:

\$ 47.74

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 238.70

b. Year adopted _____

c. Paid by: Petitioner City Village

c. Participating jurisdictions _____

Other: _____

d. Statutory authority (pick one)

s.66.0307 s.66.0225 s.66.0301

4. Resident Population: Electors: _____ Total: _____

5. Approximate present land use of territory:

Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%

Undeveloped: _____%

6. If territory is undeveloped, what is the anticipated use?

Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%

Other: _____%

Comments: _____

7. Has a preliminary or final plat been submitted to the Plan Commission: Yes No

Plat Name: _____

8. What is the nature of land use adjacent to this territory in the city or village?

In the town?: Residential/Commercial Island

9. What are the basic service needs that precipitated the request for annexation?

Sanitary sewer Water supply Storm sewers

Police/Fire protection EMS Zoning

Other: _____

10. Is the city/village or town capable of providing needed utility services?

City/Village Yes No Town Yes No

If yes, approximate timetable for providing service: City/Village Town
Sanitary Sewers immediately
or, write in number of years. _____
Water Supply immediately
or, write in number of years. _____

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?
 Yes No

If yes, identify the nature of the anticipated improvements and their probable costs: _____

11. Planning & Zoning:

a. Do you have a comprehensive plan for the City/Village/Town? Yes No
Is this annexation consistent with your comprehensive plan? Yes No

b. How is the annexation territory now zoned? AL EXCLUSIVE

c. How will the land be zoned and used if annexed? _____

12. Elections: New ward or Existing ward? Will the annexation create a new ward or join an existing ward? For more information, please contact the Wisconsin Election Commission at (608) 266-8005, elections@wi.gov or see their annexation checklist here: http://elections.wi.gov/forms/el-100

13. Other relevant information and comments bearing upon the public interest in the annexation:

This would create a town island. There is no boundary agreement with the village. The village suspended discussions several years ago, regarding a boundary agreement. Would require urban service

Prepared by: Town City Village

Please RETURN PROMPTLY to: Area Extensive
wimunicipalboundaryreview@wi.gov

Name: Rhonda Wiedenbeck, Clerk

Email: CLERK@TOWNOFSUNPRAIRIE.INFO

Phone: 608-837-6688

Date: 5-14-19

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Cottage Grove Business Development LLC**

Petition Number: **14212**

1. Territory to be annexed: From **TOWN OF SUN PRAIRIE** To **VILLAGE OF COTTAGE GROVE**

2. Area (Acres): 62.75

3. Pick one: Property Tax Payments

OR Boundary Agreement

a. Annual town property tax on territory to be annexed:

\$ 47.74

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$238.70

c. Participating jurisdictions _____

c. Paid by: Petitioner City Village

d. Statutory authority (pick one)

s.66.0307 s.66.0225 s.66.0301

Other: _____

4. Resident Population: Electors: 0 Total: 0

5. Approximate **present land use** of territory:

Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%

Undeveloped: 100%

6. If territory is undeveloped, what is the **anticipated use**?

Residential: _____% Recreational: _____% Commercial: 50% Industrial: 50%

Other: _____%

Comments: _____

7. Has a preliminary or final plat been submitted to the Plan Commission: Yes No

Plat Name: _____

8. What is the **nature of land use adjacent** to this territory in the city or village?

UNDEVELOPED, SINGLE FAMILY RESIDENTIAL

In the town?: SINGLE FAMILY RESIDENTIAL, COMMERCIAL

9. What are the **basic service needs** that precipitated the request for annexation?

Sanitary sewer Water supply Storm sewers

Police/Fire protection EMS Zoning

Other _____

10. Is the city/village or town capable of providing needed utility services?

City/Village Yes No Town Yes No

If yes, approximate timetable for providing service: City/Village Town

Sanitary Sewers immediately
or, write in number of years. _____ _____

Water Supply immediately
or, write in number of years. _____ _____

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?

Yes No

If yes, identify the nature of the anticipated improvements and their probable costs: _____

11. Planning & Zoning:

a. Do you have a comprehensive plan for the City/Village/Town? Yes No
Is this annexation consistent with your comprehensive plan? Yes No

b. How is the annexation territory now zoned? AGRICULTURAL

c. How will the land be zoned and used if annexed? PLANNED INDUSTRIAL, PLANNED BUSINESS

12. Elections: New ward or Existing ward? Will the annexation create a new ward or join an existing ward? For more information, please contact the Wisconsin Election Commission at (608) 266-8005, elections@wi.gov or see their annexation checklist here: <http://elections.wi.gov/forms/el-100>

13. Other relevant information and comments bearing upon the public interest in the annexation:

SEE ATTACHED

Prepared by: Town City Village

Name: ERIN PUTH

Email: erin@thevillage.oakcove-grave.wi.us

Phone: (608) 839-4704

Date: 5/9/2019

(March 2018)

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

VILLAGE OF COTTAGE GROVE
221 E. COTTAGE GROVE RD.
COTTAGE GROVE, WI 53527
(608) 839-4704



May 9, 2019

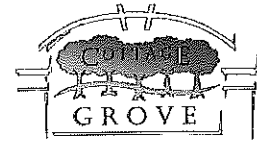
Erich Schmidtke
Wisconsin Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI, 53701

Dear Mr. Schmidtke:

The following letter is intended as an attachment to the Annexation Review Questionnaire for Petition #14212 from the Cottage Grove Business Development LLC proposing to annex approximately 62 acres from the Town of Sun Prairie to the Village of Cottage Grove, specifically in response to question 13 which requests additional information or comments.

1. The proposed annexation area is surrounded on three sides (north, east, and south) by current Village of Cottage Grove territory. The proposed annexation would infill the current 'balloon on a string' configuration and improve the contiguity of this northern area to the remainder of the Village.
2. In 2018, the Village of Cottage Grove created a new TIF district (TID #10) in the portion of the Village located north of Highway TT. The Village and the property owner desire to add the proposed annexation area to TID #10, as this area is seen as the primary area for adding regional employment opportunities and commercial tax base to the Village. The Village's financial consultants (Ehlers) anticipate that after this summer, the Village will surpass the statutory 12% limit and will not be able to amend districts to add territory. Therefore, there is a sense of urgency to annex the territory and amend the TID this summer.
3. The proposed annexation area is located within the Sun Prairie School District. The many Town of Sun Prairie residents that also reside in the Sun Prairie School District will benefit from added tax base in the area when it develops even if the property is no longer in the Town.
4. The Village acknowledges that the proposed annexation will leave two properties (a gas station/convenience store/sandwich shop and an adjacent single-family home) as a Town island. It is

VILLAGE OF COTTAGE GROVE
221 E. COTTAGE GROVE RD.
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the Village's understanding that the petitioners reached out to those property owners and they were not interested in joining the annexation petition. While it may be beneficial for those properties to ultimately annex into the Village to simplify service provision, the Village also recognizes that the combined assessed value of those properties exceeds \$1.1 million, providing nearly \$3,000 per year in tax revenue to the Town. Since the two parcels do not necessarily need to be included in the development of the surrounding area, and since the properties provide tax benefits to the Town, the Village does not see a need to force the property owners to annex against their will but would consider any future petitions from those owners should they choose to come forward.

Hopefully this information provides additional background to the proposed annexation request. Please feel free to contact the Village with any additional questions.

Sincerely,

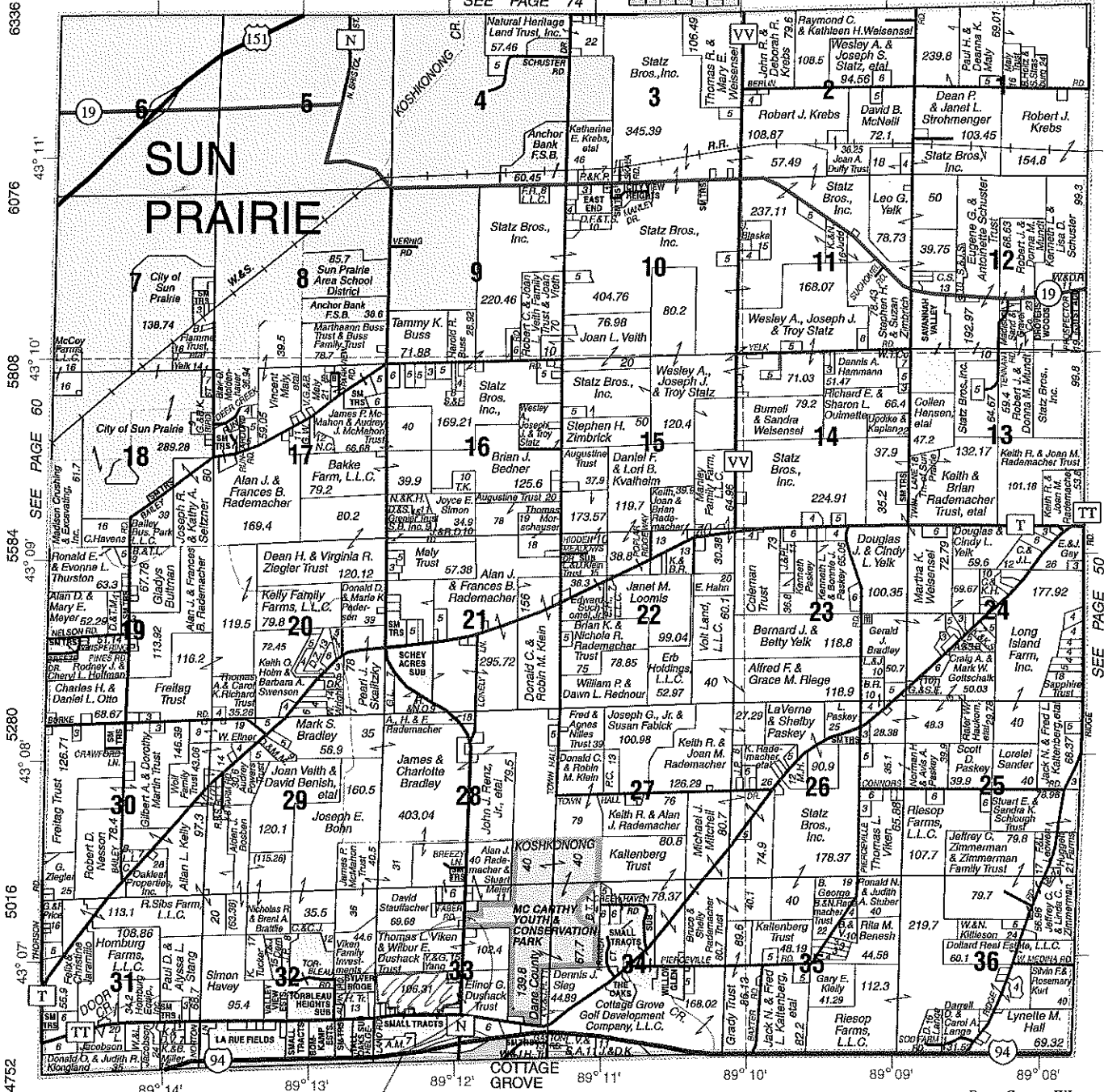
A handwritten signature in black ink, appearing to read "Erin Ruth".

Erin Ruth, AICP
Director of Planning & Development
Village of Cottage Grove

SUN PRAIRIE

T.8N.-R.11E.

SEE PAGE 74



6336
6076
5808
5584
5280
5016
4752

43° 11'
43° 10'
43° 09'
43° 08'
43° 07'

SEE PAGE 50

COTTAGE GROVE
SEE PAGE 46

Dane County, WI

© 2013 Rockford Map Pubs., Inc.
3168 2904 2640 2376 2112 1848 1584

ANNEX

Schmidtke, Erich J - DOA

From: Erin Ruth <eruth@village.cottage-grove.wi.us>
Sent: Wednesday, May 15, 2019 4:10 PM
To: Schmidtke, Erich J - DOA
Subject: RE: Proposed Annexation

Hi Erich,

We are working on our agendas for next week's meetings. We are hoping to consider the Wagner annexation (#14212) at Plan Commission and Village Board meetings next Monday, May 20th.

Before finalizing anything I wanted to check and see if you think we will have your letter in time for those meetings (starting at 5:30 pm) or if we will need to reschedule. No pressure, just trying to plan ahead.

Thanks!

Erin Ruth, AICP
Director of Planning & Development
Village of Cottage Grove

221 E. Cottage Grove Road
Cottage Grove, WI 53527
608.839.4704

From: Paul Wagner <paul.wagner@greywp.com>
Sent: Tuesday, May 14, 2019 10:59 AM
To: Schmidtke, Erich J - DOA <Erich.Schmidtke@wisconsin.gov>
Cc: Erin Ruth <eruth@village.cottage-grove.wi.us>
Subject: RE: Proposed Annexation

Erin and Erich,

Thank you for passing this information along to us. Please find attached a revised CSM from CJ Engineering. This CSM removes the Yang property from it. The Yang property is not a part of our annexation.

The Yang's were initially a part of the CSM to resolve a land issue with them, and a two-parcel CSM was the manner in which we were going to handle it. We are able to resolve the dispute with them, and they agreed that they did not have to be part of the CSM.

Please let us know if you have any questions or concerns about the attached CSM and legal description.

Thank you Erich and Erin.

-Paul

Thanks,

Erin Ruth, AICP
Director of Planning & Development
Village of Cottage Grove

221 E. Cottage Grove Road
Cottage Grove, WI 53527
608.839.4704

From: Lisa Kalata
Sent: Thursday, May 9, 2019 3:29 PM
To: Erin Ruth <eruth@village.cottage-grove.wi.us>
Subject: RE: Proposed Annexation

Erin,
I will be an existing ward and it will be Ward 2 but will have a split of Sun Prairie School District if you need that information.
Thanks!

Lisa Kalata
Village Clerk
Village of Cottage Grove
221 East Cottage Grove Rd
Cottage Grove, WI 53527
608.839.4704
Fax 608.839.4698
www.vi.cottagegrove.wi.gov

From: Erin Ruth
Sent: Thursday, May 9, 2019 9:36 AM
To: Lisa Kalata <lkalata@village.cottage-grove.wi.us>
Subject: RE: Proposed Annexation

Hi Lisa,

Will the Wagner annexation be a new or existing ward?

Thanks,

Erin

From: Lisa Kalata
Sent: Friday, May 3, 2019 11:25 AM
To: Erin Ruth <eruth@village.cottage-grove.wi.us>

Schmidtke, Erich J - DOA

From: Erin Ruth <eruth@village.cottage-grove.wi.us>
Sent: Tuesday, May 14, 2019 11:01 AM
To: Paul Wagner; Schmidtke, Erich J - DOA
Subject: RE: Proposed Annexation

Hi Paul,

Just checking – the legal description was also updated to remove the Yang property?

Thanks,

Erin

From: Paul Wagner <paul.wagner@greywp.com>
Sent: Tuesday, May 14, 2019 10:59 AM
To: Schmidtke, Erich J - DOA <Erich.Schmidtke@wisconsin.gov>
Cc: Erin Ruth <eruth@village.cottage-grove.wi.us>
Subject: RE: Proposed Annexation

Erin and Erich,

Thank you for passing this information along to us. Please find attached a revised CSM from CJ Engineering. This CSM removes the Yang property from it. The Yang property is not a part of our annexation.

The Yang's were initially a part of the CSM to resolve a land issue with them, and a two-parcel CSM was the manner in which we were going to handle it. We are able to resolve the dispute with them, and they agreed that they did not have to be part of the CSM.

Please let us know if you have any questions or concerns about the attached CSM and legal description.

Thank you Erich and Erin.

-Paul

From: Erin Ruth <eruth@village.cottage-grove.wi.us>
Sent: Friday, May 10, 2019 10:21 AM
To: Paul Wagner <paul.wagner@greywp.com>
Subject: FW: Proposed Annexation

Hi Paul,

Please see the second paragraph below from Erich Schmidtke at the DOA. Apparently the legal description in the annexation application referenced the entire CSM area including the Yang property. Since the Yang property is already in the Village, it is causing confusion at the State and County.

Please revise the map and legal description to clearly show that the annexation petition refers only to the Greywolf properties. You can email Erich at the email below and copy me. The sooner this can be addressed the better to keep on the May 20 schedule.

From: Lisa Kalata
Sent: Thursday, May 9, 2019 3:29 PM
To: Erin Ruth <eruth@village.cottage-grove.wi.us>
Subject: RE: Proposed Annexation

Erin,
I will be an existing ward and it will be Ward 2 but will have a split of Sun Prairie School District if you need that information.
Thanks!

Lisa Kalata

Village Clerk
Village of Cottage Grove
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608.839.4704
Fax 608.839.4698
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From: Erin Ruth
Sent: Thursday, May 9, 2019 9:36 AM
To: Lisa Kalata <lkalata@village.cottage-grove.wi.us>
Subject: RE: Proposed Annexation

Hi Lisa,

Will the Wagner annexation be a new or existing ward?

Thanks,

Erin

From: Lisa Kalata
Sent: Friday, May 3, 2019 11:25 AM
To: Erin Ruth <eruth@village.cottage-grove.wi.us>
Cc: Matt Giese <mgiese@village.cottage-grove.wi.us>
Subject: FW: Proposed Annexation

Erin,
Can you complete the questionnaire for the Wagner Annexation?
Thank you,

Lisa Kalata

Village Clerk
Village of Cottage Grove
221 East Cottage Grove Rd
Cottage Grove, WI 53527
608.839.4704

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF LANDS IN THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, TOWN 8 NORTH, RANGE 11 EAST, IN THE VILLAGE OF COTTAGE GROVE, DANE COUNTY, STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER JACKSON, A PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED A PART OF THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, TOWN 8 NORTH, RANGE 11 EAST, IN THE VILLAGE OF COTTAGE GROVE, DANE COUNTY, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE N 88°22'38" E ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ OF SECTION 16, 97.18 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 88°22'38" E ALONG SAID NORTH LINE 2130.94 FEET; THENCE S 01°59'53" W 200.00 FEET; THENCE N 88°22'38" E 386.40 FEET; THENCE S 01°59'51" W 8.74 FEET; THENCE S 51°27'33" W 45.53 FEET; THENCE S 01°41'45" W 175.03 FEET; THENCE S 01°15'59" E 145.38 FEET; THENCE S 01°56'20" W 250.98 FEET; THENCE S 06°35'31" E 106.15 FEET; THENCE S 01°59'51" W 43.63 FEET; THENCE N 87°35'09" W 189.60 FEET; THENCE S 01°59'51" W 121.00 FEET; THENCE N 88°00'09" W 75.00 FEET; THENCE S 01°59'51" W 124.49 FEET; THENCE 984.93 FEET ALONG AN ARC OF A CURVE WHOSE RADIUS IS 11570.00 FEET, WHOSE CENTER LIES TO THE SOUTH, WHOSE CHORD BEARS N 89°11'48" W 984.63 FEET; THENCE N 03°59'09" W 172.11 FEET; THENCE S 86°00'51" W 233.01 FEET; THENCE S 03°59'09" E 164.89 FEET; THENCE 334.66 FEET ALONG AN ARC OF A CURVE WHOSE RADIUS IS 11570.00 FEET, WHOSE CENTER LIES TO THE SOUTH, WHOSE CHORD BEARS S 86°22'54" W 334.65 FEET; THENCE S 85°33'11" W 267.43 FEET; THENCE N 02°38'13" E 136.00 FEET; THENCE S 88°40'13" W 320.00 FEET; N 02°38'13" E 94.89 FEET; THENCE S 85°40'13" W 95.13 FEET; THENCE N 83°35'44" W 61.61 FEET; THENCE N 02°06'05" E 340.93 FEET; THENCE N 89°36'32" W 50.02 FEET; N 02°06'06" E 512.21 FEET; THENCE N 45°35'50" E 140.89 FEET TO THE POINT OF BEGINNING. 85

CONTAINING: 2,733,400 SQUARE FEET OR 62.750 ACRES MORE OR LESS

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND MAP BY THE DIRECTION OF THE COTTAGE GROVE BUSINESS DEVELOPMENT, LLC, OWNERS OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE STATUTES OF THE STATE OF WISCONSIN AND THE SUBDIVISION REGULATIONS OF THE VILLAGE OF COTTAGE GROVE, IN SURVEYING, DIVIDING, MAPPING AND DEDICATING THE SAME.

DATED THIS _____ DAY OF _____, 20____.

CHRISTOPHER A. JACKSON
PROFESSIONAL LAND SURVEYOR, S-2851
STATE OF WISCONSIN

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF LANDS IN THE NORTHWEST ¼ AND NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, TOWN 8 NORTH, RANGE 11 EAST, IN THE VILLAGE OF COTTAGE GROVE, DANE COUNTY, STATE OF WISCONSIN.

OWNER'S CERTIFICATE

Cottage Grove Business Development, LLC, as owner, does hereby certify that said limited liability company caused the lands described on this CSM to be surveyed, divided, mapped and dedicated as represented on this CSM.

IN WITNESS WHEREOF, the said Cottage Grove Business Development, LLC has caused these presents to be signed by Joseph R. Wagner, Manager and its corporate seal to be hereunto affixed on this _____ day of _____, 20____.

Joseph R. Wagner
Manager

State of Wisconsin)
County of) SS

Personally came before me this _____ day of _____, 20____, the above-named Joseph R. Wagner, Manager of Cottage Grove Business Development, LLC, known by me to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public,
My Commission Expires: _____

LENDER

STATE BANK OF CROSS PLAINS, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING AND MAPPING OF THE LAND DESCRIBED ON THIS MAP AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATION OF OWNERS.

IN WITNESS WHEREOF, THE SAID STATE BANK OF CROSS PLAINS, HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____, AT _____, WISCONSIN, THIS _____ DAY OF _____, 20__.

BY: _____
JEFF SCHLEIS
VICE PRESIDENT

STATE OF)
COUNTY OF) SS

PERSONALLY CAME BEFORE ME ON _____, 20__, BY JEFF SCHLEIS, IN HIS CAPACITY AS VICE PRESIDENT OF STATE BANK OF CROSS PLAINS, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____, 20____

VILLAGE OF COTTAGE GROVE APPROVAL

THIS CERTIFIED SURVEY MAP HAS BEEN DULY FIELD WITH AND APPROVED BY THE COMMON COUNCIL OF THE VILLAGE OF COTTAGE GROVE, DANE COUNTY, WISCONSIN.

DATED THIS _____ DAY OF _____, 20__.

LISA KALATA - VILLAGE CLERK
VILLAGE OF COTTAGE GROVE

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGE _____



DCiMap

Version 3.3



Find address or PIN



Village of Cottage Grove

Town of Sun Prairie

Silver Ridge Ln

Helgeland Dr

Carroll Ln

89.18156 43.11999 Degrees

600ft

1022 ft

1009 ft

1000 ft

304 ft



TONY EVERS
GOVERNOR
JOEL BRENNAN
SECRETARY
Municipal Boundary Review
PO Box 1645, Madison WI 53701
Voice (608) 264-6102 Fax (608) 264-6104
Email: wimunicipalboundaryreview@wi.gov
Web: <http://doa.wi.gov/municipalboundaryreview>

May 20, 2019

PETITION FILE NO. 14212

LISA A KALATA, CLERK
VILLAGE OF COTTAGE GROVE
221 E COTTAGE GROVE RD
COTTAGE GROVE, WI 53527-9619

JO ANN RAMSFIELD, CLERK
TOWN OF SUN PRAIRIE
5556 TWIN LANE ROAD
MARSHALL, WI 53559

Subject: COTTAGE GROVE BUSINESS DEVELOPMENT LLC ANNEXATION

The proposed annexation submitted to our office on May 01, 2019, has been reviewed and found to be against the public interest because it will create a town island contrary to s. 66.0221 Wis. Stats.

In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city..." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory.

The subject petition is for territory that is reasonably shaped and is contiguous to the **VILLAGE OF COTTAGE GROVE** on three sides. This annexation would also infill the current 'Balloon-on-a-String' configuration that exists and improve the Village's northern boundary with the Town. Petitioners desire annexation to become part of the Village's new TIF district created in 2018, and to benefit from municipal services such as sewer and water which the Village can provide immediately.

Regarding the Town island issue, Petitioners indicate that they reached out to the two landowners involved and neither wish to annex at this time. The Village and Town may want to consider developing a boundary agreement under ss. 66.0301 or 66.0307, Wis. Stats. to resolve this and any other island or fragmented municipal boundary issues. Department staff is available to assist with any technical questions regarding developing intergovernmental agreements.

Note: The scale map must show the current Village boundary in relation to the annexation territory, as required by s. 66.0217(1), Wis. Stats.

Note: The bearing shown as S 88° 40' 13" W in line 14 of the metes and bounds description must be changed to S 85° 40' 13" W to agree with the scale map.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

Page 2

PETITION FILE NO. 14212

May 20, 2019

COTTAGE GROVE BUSINESS DEVELOPMENT LLC ANNEXATION

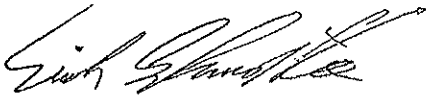
State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14212 with your ordinance.**

Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to mds@wi.gov or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2286>

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,



Erich Schmidtke, Municipal Boundary Review

cc: petitioner